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Representing the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDDIE KENT HAMPTON,

Defendant.

Case No. 2:19-mj-00137-DJA

**STIPULATION TO CONTINUE
PRELIMINARY EXAMINATION
(Fifth Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between, the United States of America, through the undersigned, together with Gabriel Grasso, counsel for defendant EDDIE HAMPTON, that the preliminary examination hearing currently scheduled for August 26, 2019 at 4:00 p.m., be vacated and reset to a date and time convenient to the Court but no sooner than 30 days.

This stipulation is entered into for the following reasons:

1. Defense counsel needs additional time to review discovery in this case and prepare for the preliminary hearing in the event that it goes forward.

2. Government counsel also needs additional time to prepare for the preliminary hearing in the event that it goes forward.

3. The Defendant is currently incarcerated and does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this Stipulation is made in good faith and not for purposes of delay.

6. This is the third request for a continuance of the preliminary hearing.

DATED this 23rd day of August, 2019.

NICHOLAS A. TRUTANICH
UNITED STATES ATTORNEY

/s/ Nadia Ahmed

NADIA AHMED
Assistant United States Attorneys

/s/ Gabriel Grasso

GABRIEL GRASSO
Counsel for Defendant Eddie Hampton

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

EDDIE KENT HAMPTON,

Defendant.

Case No. 2:19-mj-00137-CWH

ORDER

1. Defense counsel needs additional time to review discovery in this case and prepare for the preliminary hearing in the event that it goes forward.

2. Government counsel also needs additional time to prepare for the preliminary hearing in the event that it goes forward.

3. The Defendant is currently incarcerated and does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this Stipulation is made in good faith and not for purposes of delay.

6. This is the third request for a continuance of the preliminary hearing.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendants, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny Defendant Hampton to potentially resolve the case pre-

1 indictment, and if the case is not resolved pre-indictment, it further would deny the parties
2 sufficient time and the opportunity within which to be able to effectively and thoroughly
3 prepare for the preliminary hearing and for the government to have continuity of counsel,
4 taking into account the exercise of due diligence.

5 The continuance sought herein is allowed, with the defendants' consent, pursuant to Federal
6 Rules of Procedure 5.1(d).

7 IT IS THEREFORE ORDERED that the preliminary examination in the above-
8 captioned matter currently scheduled for August 26, 2019 at 4:00 p.m., be vacated and continued
9 to September 30, 2019, at 4:00 p.m.

10
11 **IT IS SO ORDERED.**

12 Entered: August 26, 2019



13 **UNITED STATES MAGISTRATE JUDGE**